REMARKS

Applicants received the Office Action dated November 01, 2007, in which the Examiner: 1) rejected claims 2, 6-9, 13-16 and 20-25 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Berry et al. (U.S. Patent No. 6,662,359; hereinafter "Berry") in view of Hunt et al. (Hunt, et al. "Intercepting and Instrumenting COM Applications." 5th USENIX Conference on Object-Oriented Technologies and Systems. 1999; hereinafter "Hunt"); 2) rejected claims 4, 5, 11, 12, 18 and 19 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Berry in view of Hunt and in further view of Angel et al. (U.S. Patent No. 6,314,558; hereinafter "Angel"; and 3) objected to claims 23–25 under 37 C.F.R. § 1.75(c) as being in improper dependent form.

Claim Objections

Claim 23 is amended to reflect proper dependency. As such, claims 23–25 reflect proper dependency, and Applicants respectfully request that Examiner withdraw the objections under 37 C.F.R. § 1.75(c).

Claims 2, 4–9, 11–16, and 18–25

Independent claim 2 recites, in part, "inserting instrumentation code in a bytecode representation of the selected at least one method without modifying a source code of the selected at least one method." Independent claims 9 and 16 recite similar limitations. However, the cited references fail to teach or suggest the quoted limitation. Examiner cites Berry at col.7 ℓ.11–35 as allegedly teaching the quoted limitation. At the cited location, Berry states: "Thus, the next step is to modify the other components of the class file to ensure that they satisfy the constraints of the class file verifier (step 510)." However, modifying the class does not teach or suggest inserting instrumentation code without modifying the source code of the method. Indeed, at col. 10 ℓ.37–38, Berry states: "The example depicts how code (i.e. methods) in the class file can be modified." Furthermore, no other art of record teaches or suggests the quoted limitation. For

at least this reason, independent claims 2, 9, and 16, along with dependent claims 4–8, 11–15, and 18–25, are allowable over Berry in view of Hunt.

Additionally, independent claim 2 recites, in part, "generating a wrapper method with said instrumentation tools that contain the instrumentation code and a call to the bytecode representation of the at least one method." Independent claims 9 and 16 recite similar limitations. However, the cited references fail to teach or suggest the quoted limitation. Examiner cites Hunt at page 9 as allegedly teaching the quoted limitation. At the cited location, Hunt teaches that an interface wrapper is specialized universal delegator. On page 8, Hunt teaches that a delegator consists of a VTBL pointer, a reference count, a pointer to the aggregated interface, and a pointer to the aggregating object. However, pointing to the aggregated object fails to teach or suggest a call to the bytecode representation of the method as required by the claims. Furthermore, no other art of record teaches or suggests the quoted limitation as required by the claims. For at least this additional reason, independent claims 2, 9, and 16, along with dependent claims 4–8, 11–15, and 18–25, are allowable over Berry in view of Hunt.

Conclusion

For the reasons stated above, Applicants respectfully submit that the application is in condition for allowance. In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed, or that limitations from the specification can be imported into the claims. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the prior art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in attachments accompanying this document. However, in the event that additional extensions of time are necessary to allow consideration of this document, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a). If any fees or time extensions are inadvertently omitted or if any fees have been overpaid, please appropriately charge or credit those fees to Hewlett-Packard Company Deposit Account Number 08-2025 and enter any time extension(s) necessary to prevent this case from being abandoned.

Respectfully submitted,

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